

FILED

OCT 26 2016

CLERK U.S. BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
BY: Deputy Clerk

**UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA**

In re: Peter Emanuel Kvassay Debtor(s)	CASE NO.: 2:12-bk-40267-DS ADVERSARY NO.: 2:12-ap-02577-DS NOTICE OF APPEAL FILED: 10/25/2016 NOTICE OF CROSS APPEAL FILED : BANKRUPTCY CASE FILED : 09/05/2012 APPEAL DOCKET ENTRY NO.: 186
Robert Kvassay Plaintiff(s) vs. Peter Emanuel Kvassay Defendant(s)	NOTICE OF REFERRAL OF APPEAL

To all parties in interest, and the:

- ☐ Bankruptcy Appellate Panel of the Ninth Circuit
☒ United States District Court, Central District of California

You are hereby notified that the following document(s) have been filed at the Bankruptcy Court.

- ☐ Motion for Leave to Appeal
☐ Answer in opposition to Motion for Leave to Appeal
☒ Notice of Appeal and Statement of Election
☐ Notice of Cross-Appeal
☒ Appellant's Statement of Election to Transfer Appeal to the District Court
☐ Other (*specify*):

By virtue of orders of the Judicial Council of the Ninth Circuit and the District Court for this District, the above appeal and related documents have been referred to the Bankruptcy Appellate Panel or U.S. District Court, as indicated above.

I certify that a true copy of the Notice of Appeal and Statement of Election, Notice of Referral of Appeal, Transcript Order Form, and Notice of Transcript were served on each of the parties listed in the Appeal, together with a copy of the Amended Order Continuing the Bankruptcy Appellate Panel of the Ninth Circuit, as applicable.

Kathleen J. Campbell
Clerk of Court

Date: 10/26/2016

By: SONNY MILANO
Deputy Clerk

NOTICE OF APPEAL SERVICE LIST

1. SERVED BY THE BANKRUPTCY COURT BY NOTICE OF ELECTRONIC FILING (NEF):

- ☐ Bankruptcy Appellate Panel of the Ninth Circuit at bapca09filings@ca9.uscourts.gov
☒ United States District Court at bkappeal_cacd@cacd.uscourts.gov

Office of the United States Trustee

- ☒ Los Angeles Division at ustpreion16.la.ecf@usdoj.gov
☐ Riverside Division at ustpreion16.rs.ecf@usdoj.gov
☐ Santa Ana Division at ustpreion16.sa.ecf@usdoj.gov
☐ San Fernando Valley Division at ustpreion16.wh.ecf@usdoj.gov
☐ Northern Division at ustpreion16.nd.ecf@usdoj.gov

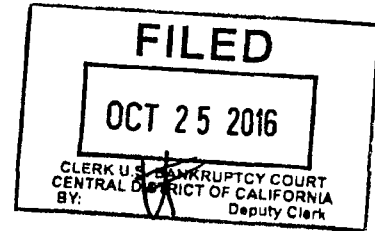
Other parties served by NEF:

Richard W Esterkin resterkin@morganlewis.com, gloria.moonasinghe@morganlewis.com

2. SERVED BY THE BANKRUPTCY COURT BY UNITED STATES MAIL:

Troy A Stewart
PO Box 390
Glendale, CA 91209-0390

Matthew C Brown
Law Office of Matthew C Brown
790 E Green St
Pasadena, CA 91101



1 TROY A. STEWART, SBN 135764
2 P.O. Box 390
3 Glendale, California 91209-0390
4 Telephone: (626) 616-9474
5 Email: stewart1985@lawnet.ucla.edu

6 Attorney for Defendant and Appellant
7 PETER EMANUEL KVASSAY

8 **UNITED STATES BANKRUPTCY COURT**

9 **CENTRAL DISTRICT OF CALIFORNIA**

10 In re	)	Case No. 2:12-bk-40267-DS
)	
11 PETER EMANUEL KVASSAY,	)	Chapter 7
)	
12 Debtor.	)	Adv. Case No.: 2:12-bk-02577-DS
)	
13	)	Judge Gregg W. Zive
14 ROBERT KVASSAY, INDIVIDUALLY, AND)	
15 THE KVASSAY FAMILY TRUST DATED	)	NOTICE OF APPEAL
16 FEBRUARY 26, 1993,)	
)	
17 Plaintiffs,)	
)	
18 vs.)	
)	
19 PETER EMANUEL KVASSAY, AN)	
20 INDIVIDUAL,)	
)	
21 Defendant.)	

22 Defendant PETER EMANUEL KVASSAY hereby appeals the Judgment entered in the
23 above-captioned adversary case (no. 2:12-bk-02577-DS) on October 13, 2016 ("Judgment"). A true
24 and correct copy of the Judgment is attached hereto.


25 /
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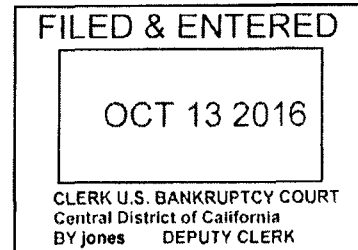
1 The names of all parties to the Judgment appealed from and the names, addresses, telephone
2 nos., and email addresses of their respective attorneys are as follows:

3 Peter Emanuel Kvassay (Defendant)
4 Troy A. Stewart, Esq.
5 313 E. Broadway, P.O. Box 390
6 Glendale, California 91209-0390
7 (626) 616-9474
8 stewart1985@lawnet.ucla.edu

9 Robert V. Kvassay, et al. (Plaintiffs)
10 Matthew C. Brown, Esq.
11 790 East Green Street
12 Pasadena, California 91101
13 (626) 449-4963
14 mbrown@brown-law.com

15 Dated: October 24, 2016

16 
17 TROY A. STEWART, Attorney for
18 Appellant PETER EMANUEL KVASSAY
19 313 E. Broadway, P.O. Box 390
20 Glendale, California 91209-0390
21 (626) 616-9474
22
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**UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES DIVISION**

In re:

Peter Kvassay,

Debtor,

Robert Kvassay and the Kvassay Family
Trust Dated February 26, 1993

Plaintiff(s),

v.

Peter Kvassay,

Defendant.

Case No.: 2:12-bk-40267-DS

Chapter: 7

Adversary No.: 2:12-ap-02577-DS

JUDGMENT

Trial Date

Date: August 23, 2016-August 24, 2016
Time: 10:00 a.m. and 9:00 a.m.
Place: Courtroom 1445
255 East Temple Street
Los Angeles, CA 90012

The court incorporates by reference the findings of fact and conclusions of law made in the memorandum decision entered concurrently with this judgment. Based on the reasons stated in the memorandum decision,

1 IT IS HEREBY ORDERED that judgment is entered in favor of the Defendant.

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Date: October 13, 2016


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Gregg W. Zive
United States Bankruptcy Judge

PROOF OF SERVICE

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is P.O. Box 390, Glendale, California 91209-0390.

On October 25, 2016, I served the following described document:

NOTICE OF APPEAL


on the interested parties in this matter by email transmission to the following addressee:

mbrown@brown-law.com

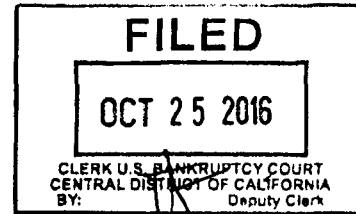
Matthew C. Brown, Esq.
790 East Green Street
Pasadena, California 91101

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on October 25, 2016, at Bellevue, Washington.


TROY A. STEWART

TROY A. STEWART, SBN 135764
P.O. Box 390
Glendale, California 91209-0390
Telephone: (626) 616-9474
Email: stewart1985@lawnet.ucla.edu

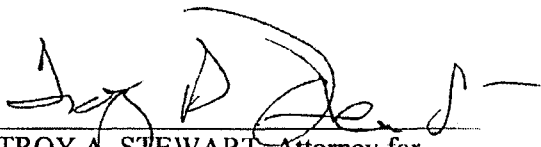


Attorney for Appellant
PETER EMANUEL KVASSAY

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA

In re	)	Case No. 2:12-bk-40267-DS
)	
PETER EMANUEL KVASSAY,	)	Chapter 7
)	
Debtor.	)	Case No.: 2:12-bk-02577-DS
)	
	)	Judge Gregg W. Zive
ROBERT KVASSAY, INDIVIDUALLY, AND)	
THE KVASSAY FAMILY TRUST DATED	)	APPELLANT PETER EMANUEL
FEBRUARY 26, 1993,	)	KVASSAY'S NOTICE OF ELECTION TO
	)	HAVE APPEAL HEARD BY THE
Plaintiffs,	)	DISTRICT COURT (28 U.S.C. § 158(c)(1);
	)	FRBP 8005(a)(1))
vs.)	
)	
PETER EMANUEL KVASSAY, AN)	
INDIVIDUAL,)	
)	
Defendant.)	

Pursuant to 28 U.S.C. § 158(c)(1) and FRBP 8005(a)(1), appellant PETER EMANUEL KVASSAY hereby elects to have his appeal in the above-captioned case heard by the District Court.
DATED: October 24, 2016


TROY A. STEWART, Attorney for
Appellant PETER EMANUEL KVASSAY

PROOF OF SERVICE

STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is P.O. Box 390, Glendale, California 91209-0390.

On October 25, 2016, I served the following described document:

APPELLANT PETER EMANUEL KVASSAY'S NOTICE OF ELECTION TO HAVE APPEAL HEARD BY THE DISTRICT COURT (28 U.S.C. § 158(c)(1); FRBP 8005(a)(1))

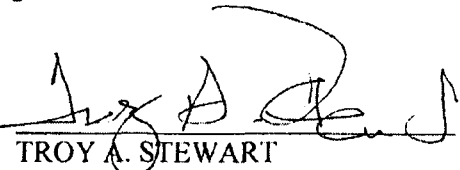
on the interested parties in this matter by email transmission to the following addressee:

mbrown@brown-law.com

Matthew C. Brown, Esq.
790 East Green Street
Pasadena, California 91101

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on October 25, 2016, at Bellevue, Washington.


TROY A. STEWART

Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address <input type="checkbox"/> <i>Individual appearing without attorney</i> <input type="checkbox"/> <i>Attorney for:</i>	FOR COURT USE ONLY
UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA - **SELECT DIVISION**	
In re: <div style="text-align: right;">Debtor(s).</div>	CASE NO.: CHAPTER: **Select Chapter** ADVERSARY NO.: (if applicable) DATE NOTICE OF APPEAL FILED: DATE NOTICE OF CROSS APPEAL FILED: APPEAL DOCKET ENTRY NO.:
<div style="text-align: right;">Plaintiff(s),</div> <div style="text-align: center; margin-top: 20px;">vs.</div> <div style="text-align: right; margin-top: 20px;">Defendant(s).</div>	<div style="text-align: center; padding-top: 50px;"> NOTICE OF TRANSCRIPT(S) DESIGNATED FOR AN APPEAL </div>

Notice is given to the court and other parties in interest that the following action was taken:

☐ I do not intend to designate any portion of the transcript(s).

☐ I requested a copy of the transcript(s).

1. Hearing date (*specify*) _____ and time (*specify*) _____ of transcript requested.
 Date (*specify*) _____ transcript was requested.

2. Hearing date (*specify*) _____ and time (*specify*) _____ of transcript requested.
 Date (*specify*) _____ transcript was requested.

This form is optional. It has been approved for use in the United States Bankruptcy Court for the Central District of California.

3. Hearing date (*specify*) _____ and time (*specify*) _____ of transcript requested.
Date (*specify*) _____ transcript was requested.
4. Hearing date (*specify*) _____ and time (*specify*) _____ of transcript requested.
Date (*specify*) _____ transcript was requested.
5. Hearing date (*specify*) _____ and time (*specify*) _____ of transcript requested.
Date (*specify*) _____ transcript was requested.

☐ I intend to designate the following transcript(s) previously docketed:

1. Hearing date (*specify*) _____ of designated transcript.
Docket entry number of designated transcript (*specify*) _____
2. Hearing date (*specify*) _____ of designated transcript.
Docket entry number of designated transcript (*specify*) _____
3. Hearing date (*specify*) _____ of designated transcript.
Docket entry number of designated transcript (*specify*) _____
4. Hearing date (*specify*) _____ of designated transcript.
Docket entry number of designated transcript (*specify*) _____
5. Hearing date (*specify*) _____ of designated transcript.
Docket entry number of designated transcript (*specify*) _____

Date: 10/26/2016

Printed name of law firm

Signature

Printed name

Attorney for (*specify*)

Instructions

This Notice cannot be used to order a transcript. To order a transcript, use the court approved Transcript Order Form on the court's website at www.cacb.uscourts.gov/transcripts.

This Notice must be served on opposing counsel and filed with the court within 14 days of the filing of the Notice of Appeal.

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

A true and correct copy of the foregoing document entitled: **NOTICE OF TRANSCRIPT(S) DESIGNATED FOR AN APPEAL** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF)**: Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) _____, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☐ Service information continued on attached page

2. **SERVED BY UNITED STATES MAIL**:

On (date) _____, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

3. **SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Date

Printed Name

Signature

This form is optional. It has been approved for use in the United States Bankruptcy Court for the Central District of California.

TRANSCRIPT ORDERING INSTRUCTIONS

TRANSCRIPT REQUESTS

A separate form must be completed for each hearing date requested. Select a Transcription Service Provider from the attached Court-approved list of transcribers and complete the *Transcript Order form*.

Four (4) types of transcript requests:

- **Ordinary:** A transcript to be delivered within thirty (30) calendar days after receipt of the deposit.
- **14 Days:** A transcript to be delivered within fourteen (14) calendar days after receipt of the deposit.
- **Expedited:** A transcript to be delivered within seven (7) calendar days after receipt of the deposit.
- **Daily:** A transcript to be delivered within 24 hours after receipt of the deposit.

341(a) MEETING OF CREDITORS:

The Meeting of Creditors is recorded by the Trustee. The Court does not keep or provide a copy of the recording. For 341(a) *Recording Request Procedures*, visit the U.S. Trustee website www.justice.gov/ust/r16.

FILE THE TRANSCRIPT ORDER FORM

Parties with an ECF account must file the Transcript Order Form in CM/ECF on the related case docket. Use docket event "*Transcript Order Form (Public Request)*." As with all ECF filings, the completed PDF *Transcript Order Form* must be "flattened" before electronically filing through ECF ([click here to view the procedure](#)). Self-represented litigants and parties without an ECF account may hand-deliver or mail the form to the division where the hearing was held.

***NOTE: The Court does not accept transcript requests via fax, email or telephone.**

TRANSCRIPT PROCESSING

The Court does not transcribe court proceedings. When a *Transcript Order Form* is received, the Court will forward the hearing information to the Transcription Service Provider you designate on the Transcript Order Form. The Transcription Service Provider will contact you regarding receipt of the transcript. Thereafter, contact the Transcription Service Provider directly if you have questions regarding your transcript order. Transcripts cannot be picked up at the Court. For more information, go to www.cacb.uscourts.gov/track-transcript-status.

TRANSCRIPT COSTS/FORMS OF PAYMENT

The Transcription Service Provider will contact you directly regarding transcript costs and forms of payment. Rates may vary but may not exceed maximum charges set by the Judicial Conference of the United States (maximum rates are listed at www.cacb.uscourts.gov/transcripts).

COPIES OF TRANSCRIPTS

Once the *Transcript Order Form* requesting a transcript of a hearing is entered on the related case docket, a Transcription Service Provider is designated and materials for transcription are sent by the Court to the designated Transcription Service Provider. If more than one party files a *Transcript Order Form* for the same hearing, the first *Transcript Order Form* on the docket takes precedence. All other parties that wish to obtain a transcript of the same hearing are to contact the Transcription Service Provider designated on the case docket.

Completed transcripts are filed by the transcriber on the related case docket and restricted for 90 days from the filed date as set forth in the *Guide to Judiciary Policy* Vol. 6, §510.25.10. During the 90-day restriction period, the transcript may be viewed at the Clerk's Office on a public computer terminal or a copy purchased from the designated Transcription Service Provider that created the original transcript. For more information see *Transcript Ordering Instructions*, section 1.15 of the Court Manual at www.cacb.uscourts.gov/court-manual.

COURT LOCATIONS

Self-represented litigants and parties without an ECF account may hand-deliver or mail the form to the division where the hearing was held.

*DIVISION	ADDRESS
Los Angeles (LA) (855) 460-9641	United States Bankruptcy Court 255 E. Temple Street Suite 940 Los Angeles, CA 90012 Attn: Transcript Orders (name of Judge who held the hearing)
Northern (ND) (855) 460-9641	United States Bankruptcy Court 1415 State Street Santa Barbara, CA 93101 Attn: Transcript Orders (name of Judge who held the hearing)
Riverside (RS) (855) 460-9641	United States Bankruptcy Court 3420 Twelfth Street Riverside, CA 92501 Attn: Transcript Orders (name of Judge who held the hearing)
San Fernando Valley (SV) (855) 460-9641	United States Bankruptcy Court 21041 Burbank Boulevard Woodland Hills, CA 91367 Attn: Transcript Orders (name of Judge who held the hearing)
Santa Ana (SA) (855) 460-9641	United States Bankruptcy Court 411 West Fourth Street Santa Ana, CA 92701 Attn: Transcript Orders (name of Judge who held the hearing)

***NOTE: The Court does not accept transcript requests via fax, email or telephone.**



UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA

APPROVED TRANSCRIPTION SERVICE PROVIDERS

**BEN HYATT CERTIFIED DEPOSITION
REPORTERS**

17835 Ventura Blvd., Suite 310
Encino, CA 91316
Ph: (888) 272-0022, ext. 201 or ext. 206
Fax: (818) 343-7116
Email: mhyatt@benhyatt.com
www.BenHyatt.com

eSCRIBERS, LLC

7227 N 16th Street, Suite 207
Phoenix, AZ 85020
Ph: (213) 943-3843
Fax: (973) 954-5619
Email: operations@escribers.net
www.eScribers.net

BRIGGS REPORTING CO., INC.

4455 Morena Boulevard, Suite 104
San Diego, CA 92117
Ph: (310) 410-4151
Fax: (858) 453-9625
Email: briggs_reporting@sbcglobal.net

EXCEPTIONAL REPORTING SERVICES, INC.

14633 S. Padre Island Drive, Suite 103
Corpus Christi, TX 78418
Ph: (361) 949-2988, ext. 0
Fax: (361) 949-7799
Email: transcripts@exceptionalreporting.com
www.ExceptionalReporting.com

ECHO REPORTING, INC.

4455 Morena Boulevard, Suite 104
San Diego, CA 92117
Ph: (858) 453-7590
Fax: (858) 453-9625
Email: echoreporting@yahoo.com
www.EchoReportinginc.com

J & J COURT TRANSCRIBERS, INC.

268 Evergreen Avenue
Hamilton, NJ 08619
Ph: (609) 586-2311
Fax: (609) 587-3599
Email: JJcourt@JJcourt.com
www.JJcourt.com



UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA

TRANSCRIPT ORDER FORM

ORDER No. _____

CHAPTER _____

APPEAL? ☐ Yes ☐ No

APPEAL No. _____
(if known)

(File this form on the related case docket)

Ordering Party's Name: _____ Attorney Bar# _____

Law Firm: _____

Mailing Address: _____

Person to Contact (If Judge-ordered: Transcriber to contact Procurement**): _____

Telephone: (_____) _____ E-mail: _____

Bankruptcy Case #: _____ Adversary Proceeding #/MP #: _____

Date of Hearing (complete a SEPARATE form for EACH hearing date): _____ Time: _____

Debtor: _____

Adversary Proceeding Name: _____ vs. _____

Hearing Judge: _____ Courtroom #: _____

TRANSCRIBER: _____ ALTERNATE: _____

(Select from the Court-approved list of Transcription Service Providers. This provider will contact you regarding payment)

341(a) MEETING OF CREDITORS: The Meeting of Creditors is recorded by the Trustee. **DO NOT USE THIS FORM.** For 341(a) Recording Request Procedures, visit the U.S. Trustee website www.justice.gov/ust/r16

Transcript Type: **NOTE:** The Court is not responsible for determining if a hearing has been previously transcribed. Check the case docket to determine if a filed transcript already exists or is being transcribed before filing this form.

Copy of Existing Transcript: Contact the transcriber directly for a copy.

- | | |
|---|---|
| <input type="checkbox"/> Ordinary (30 days) | <input type="checkbox"/> Entire Hearing |
| <input type="checkbox"/> 14 Days | <input type="checkbox"/> Ruling/Opinion of Judge only |
| <input type="checkbox"/> Expedited (7 days) | <input type="checkbox"/> Testimony of Witness _____ |
| <input type="checkbox"/> Daily (24 hours) | <input type="checkbox"/> Other* _____ (name of witness) |

*Special Instructions: _____

Transcript due dates are computed from the date the deposit is received by the Transcriber. The cost of a transcript varies for each type. See *Transcript Ordering Instructions, Transcript Costs/Forms of Payment*.

TO BE COMPLETED BY THE COURT

☐ **Judge Ordered Transcript**:** Clerk must **docket this form**; CM/ECF will automatically notify Procurement.

Date Request Filed: _____ Date Sent to Transcriber: _____ By ☐ FDS ☐ Mail ☐ Messenger

Digital Recording (or Analog Tape Recording)

(Tape #:____) Time Start (Index #): _____ Time End (Index #): _____ Time Start: _____ Time End: _____

(Tape #:____) Time Start (Index #): _____ Time End (Index #): _____ Time Start: _____ Time End: _____

Court Recorder: _____ Division: _____ Processed by: _____

****TRANSCRIBER INSTRUCTIONS**

Judge-ordered transcripts: email price quote & invoice to procurement@cacb.uscourts.gov. Provide quote prior to transcribing.